

REMARKS

The present application was filed on January 14, 2004 with claims 1-37. Claims 1-3, 5, 6, 8, 12-16, 19-21, 23, 24, 26, 30-34, 36 and 37 have been amended, and claims 4, 7, 9, 22, 25 and 27 have been canceled without prejudice. Claims 1-3, 5, 6, 8, 10-21, 23, 24, 26 and 28-37 are pending, and claims 1, 19, and 37 are the pending independent claims.

In the outstanding Office Action dated October 13, 2006, Examiner: (i) objected to claims 21, 23-26, 30, 32, 34, and 36; (ii) rejected claims 2-3 and 20-21 under 35 U.S.C. §112, second paragraph; (ii) rejected claims 1-9, 16-18, 19-27, and 37 under 35 U.S.C. §102(b) as being anticipated by Zhou et al., "Building a Visual Database for Example-Based Graphics Generation," Proc. IEEE Info Vis, Oct. 2002 (hereinafter "Zhou I"); and (iii) rejected claims 10-15 and 28-36 under 35 U.S.C. §103(a) as being obvious over Zhou I in view of Zhou et al., "Applying Machine Learning to Automated Information Graphics Generation," IBM Systems Journal, Vol. 41, No. 3, pp. 504-523, Sept. 2002. (hereinafter "Zhou II").

With regard to the objections to dependent claims 21, 23-26, 30, 32, 34, and 36, Applicants have amended the claims as suggested by Examiner to correct the informalities. Applicants removed the words "operation of" from claims 21, 23-26, 30, 32, 34, and 36.

With regard to the §112, second paragraph, rejection of dependent claims 2-3 and 20-21, Applicants have amended claims 2-3 and 20-21 to recite "capable of being" and "not capable of being" instead of "can be" and "cannot be," respectively.

With regard to the rejection of claims 1-9, 16-18, 19-27 and 37 under 35 U.S.C. §102(b) as being anticipated by Zhou I, Applicants have amended independent claims 1, 19 and 37 to more clearly set forth the limitations of the present invention. More specifically, independent claims 1, 19 and 37 have been amended to recite techniques for automated graphics generation in response to a user request. A measure of similarity between the user request and one or more stored graphical examples is determined to measure whether the one or more stored graphical examples are adequate for creating one or more new graphical illustrations in accordance with the user request. The user request is systematically decomposed into sub-requests, and the one or more stored graphical examples are systematically decomposed into graphical fragments in accordance with at least one of

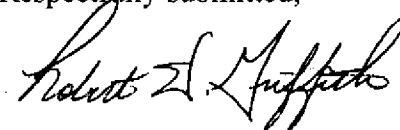
syntactic, semantic and pragmatic characteristics of the one or more graphical examples, if the user request and the one or more stored graphical examples are inadequately similar. At least one of at least one matching graphical example and at least one graphical fragment is searched for among the one or more graphical examples for the user request. The one or more new graphical illustrations are composed from at least one of the at least one graphical example and the at least one graphical fragment, using a pattern-based composition. The determining, decomposing, searching and composing steps utilize a cooperative critiquing technique between a user and a system for automated graphics generation.

Applicants assert that Zhou I fails to disclose each and every limitation of the amended independent claims as described above, and thus, independent claims 1, 19 and 37 are patentable over the cited reference. Dependent claims 4, 7, 9, 22, 25 and 27 have been canceled without prejudice. Dependent claims 2, 3, 5, 6, 8, 16-18, 20, 21, 23, 24 and 26 are patentable at least by virtue of their dependency from independent claims 1 and 19. Dependent claims 2, 3, 5, 6, 8, 16-18, 20, 21, 23, 24 and 26 also recite patentable subject matter in their own right. Accordingly, Applicants therefore respectfully request withdrawal of the §102(b) rejection of claims 1-3, 5, 6, 8, 16-18, 19-21, 23, 24, 26 and 37.

With regard to the rejection of dependent claims 10-15 and 28-36 under 35 U.S.C. §103(a) as being unpatentable over Zhou I in view of Zhou II, Applicants respectfully assert that Zhou II fails to remedy the deficiencies discussed above with regard to Zhou I. Therefore, dependent claims 10-15 and 28-36 are patentable at least by virtue of their dependency from independent claims 1 and 19. Dependent claims 10-15 and 28-36 also recite patentable subject matter in their own right. Accordingly, Applicants therefore respectfully request withdrawal of the §103(a) rejection of claims 10-15 and 28-36.

In view of the above, Applicants believe that claims 1-3, 5, 6, 8, 10-21, 23, 24, 26 and 28-37 are in condition for allowance, and respectfully requests withdrawal of the §112, §102(b) and §103(a) rejections.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert W. Griffith". The signature is fluid and cursive, with the first name "Robert" and last name "Griffith" clearly distinguishable.

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